United Nations A/53/682

General Assembly

Distr.: General
19 November 1998

Original: English

Fifty-third session
Agenda item 8
Adoption of the agenda and organization of work: reports of the General Committee

Letter dated 18 November 1998 from the Chairman of the Fifth Committee addressed to the President of the General Assembly

As a result of the concerns expressed by the Fifth Committee at its 29th meeting held this morning regarding the tendency of the Main Committees of the General Assembly to consider budgetary matters that do not fall within their purview, the Fifth Committee has asked me to bring to your attention this matter, and through you to the Chairmen of the Main Committees of the General Assembly, the provisions of the following relevant resolutions and decisions of the General Assembly as well as the relevant rules of procedure of the Assembly regarding the competence of the Fifth Committee in administrative and budgetary matters.

In section VI of its resolution 45/248 B of 21 December 1990, which deals with procedures for administrative and budgetary matters, the General Assembly:

1. Reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters;

2. Reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions;

3. Expressed its concern at the tendency of its substantive Committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters;

4. Invited the Secretary-General to provide all intergovernmental bodies with the required information regarding procedures for administrative and budgetary matters.

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May I also draw your attention to the most recent resolution of the General Assembly on the subject, namely, resolution 52/22 of 22 December 1997 on questions relating to the proposed programme budget for the biennium 1998–1999, the third preambular paragraph of which states:

> "*Recalling also* its resolution 45/248 B of 21 December 1990, in which it reaffirmed that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters, ...".

In addition, rule 153 of the rules of procedure of the General Assembly states:

> "No resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of expenditures prepared by the Secretary-General. No resolution in respect of which expenditures are anticipated by the Secretary-General shall be voted by the General Assembly until the Administrative and Budgetary Committee (Fifth Committee) has had an opportunity of stating the effect of the proposal upon the budget estimates of the United Nations."

I should be most grateful if you would give this matter your urgent attention.

(*Signed*) Movses **Abelian**
Chairman
Fifth Committee of the General Assembly

United Nations A/53/683

General Assembly

Distr.: General
19 November 1998
English
Original: French

Fifty-third session
Agenda item 43
The situation of democracy and human rights in Haiti

Letter dated 17 November 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Haiti to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a letter dated 6 November addressed to you by Mr. René Préval, President of the Republic of Haiti.

I should be grateful if you would arrange for the text of this letter and its annex to be distributed as a document of the General Assembly under agenda item 43.

(Signed) Antonio **Rodrigue**
Minister Counsellor
Chargé d'affaires a.i.

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Annex

Letter dated 6 November 1998 from the President of Haiti addressed to the Secretary-General

Since the return to constitutional order, the Haitian State has benefited from the cooperation of the Organization of American States/United Nations International Civilian Mission to Haiti (MICIVIH), which has sought to combine its analysis of the human rights situation in Haiti with constructive recommendations aimed at improving the functioning of the institutions which are crucial to the promotion and protection of individual rights and fundamental freedoms.

Despite the progress made, the task of institutional consolidation has not been completed. In that regard, the finalization of a document setting forth a strategy and detailed action plan for the application of the law on judicial reform promulgated recently should accelerate the process of strengthening the judicial system in the years to come. In that context, the expertise and experience of MICIVIH could facilitate the implementation of the reform and support the judicial system as it advances towards greater impartiality, increased independence and systematic respect for constitutional guarantees.

The Haitian State is also gratified by the progress achieved, with the assistance of MICIVIH, in making the people more aware of human rights. It considers it necessary to encourage these initiatives aimed at structuring society on the basis of civic values and conduct.

Consequently, the Government of Haiti wishes MICIVIH to continue its activities until 31 December 1999. However, in view of the changes that have taken place in the situation of the country, it would like the mandate of the Mission to be adapted to the current need to strengthen institutions by focusing its activities on technical assistance adapted to all components of the judicial system.

(Signed) René **Préval**
President of the Republic of Haiti